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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 25 AUG 2005

WIPO

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Applicant's or agent's file reference 2912 WO	FOR FURTHER ACTION <div style="text-align: right;">See Form PCT/PEA/416</div>																									
International application No. PCT/FI2004/000232	International filing date (day/month/year) 15.04.2004	Priority date (day/month/year) 30.06.2003																								
International Patent Classification (IPC) or national classification and IPC B66B1/20																										
Applicant KONE CORPORATION et al.																										
<ol style="list-style-type: none"> 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 5 sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: <ol style="list-style-type: none"> a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 																										
<ol style="list-style-type: none"> 4. This report contains indications relating to the following items: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">Box No. I</td> <td>Basis of the opinion</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> 			<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand 16.12.2004	Date of completion of this report 26.08.2005																									
Name and mailing address of the international preliminary examining authority: <div style="display: flex; align-items: center;"> <div> European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016 </div> </div>	Authorized Officer Nelis, Y Telephone No. +31 70 340- 4503																									



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/FI2004/000232

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-18 as originally filed

Claims, Numbers

1-27 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/FI2004/000232

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-27
Inventive step (IS)	Yes: Claims	
	No: Claims	1-27
Industrial applicability (IA)	Yes: Claims	1-27
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Reference is made to the following documents:

- D1 : EP 0 427 992 A (KONE ELEVATOR GMBH) 22 May 1991 (1991-05-22)
D2: EP 0739848 (Otis elevator company)

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1) The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1,10,19 is not new in the sense of Article 33(2) PCT.

In the description of the application (page 6, line 3-16) it is cited that document D1 is a document that describes a method for determining the traffic type, of an elevator group, on the basis of statistical data. It is also cited that there are two different types of statistics; long term statistics and short term statistic.

Furthermore it is cited that the problem with D1 is that long term statistics is used and that by doing so the system can not make correct predictions. The problem is solved by using short term statistics.

The reader can follow these steps but encounter a problem while reading the claims. The claims do not describe the use of short term statistics to overcome the problem to be solved (Art. 6 PCT).

- 2) Document D1 discloses (in the formulation of the claim): Method for identifying an incoming peak traffic condition in an elevator system, characterized in that the method comprises the steps of:
monitoring in real-time peak hour identification of the elevator system the number of car calls and the car load of an elevator taking in passengers in a lobby area;
determining a car load threshold value, on the basis of which an elevator is identified as a peak elevator if the car load exceeds the car load threshold value;
defining a threshold value of car calls, on the basis of which a peak elevator is identified if the number of car calls to floors outside a lobby area exceeds the threshold value of car calls;
collecting statistical data regarding the numbers of passengers arriving to a floor in the elevator system and those leaving the floor during predetermined time windows; and
selecting the prevailing traffic type as an incoming peak traffic condition if at least one peak elevator has been detected and the collected statistical data for the

current time window indicates an incoming peak traffic condition.

Claim 1 is therefore not new in the sens of Article 33(2) PCT.

- 3) The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim 10, which therefore is also considered not new.
- 4) Document D2 discloses: System for identifying an incoming peak traffic situation in an elevator system, said system comprising:
at least one elevator ;
a car load weighing device for calculating the car load of elevator passengers for the identification of a peak elevator;
an elevator door light cell for counting the number of passengers entering the elevator and the number of passengers leaving the elevator;
a control logic for recognizing car calls for identification of a peak elevator, for management of traffic flow and control of the elevator system;
where the system further comprises a database for the collection of statistical data, said statistical data comprising the numbers of passengers arriving to and leaving the floor during predetermined time windows; and that the said control logic has been arranged to interpret the prevailing traffic type as an incoming peak traffic condition if at least one peak elevator has been detected and the statistical data collected indicates an incoming peak traffic condition.

Claim 19 is therefore not new in the sens of Article 33(2) PCT.

- 5) Dependent claims 2-27 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1, D2 and the corresponding passages cited in the search report.